

# TRANSMITTAL FORM

to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> to be used for all correspondence after initial filing)		Application Number	10/000068
		Filing Date	October 4, 2004
		First Named Inventor	Stanley F. Barnett
		Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	10	Attorney Docket Number	21075YP

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<b>Remarks</b> - Response to Notification to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures - Copy of Notice to Comply - Revised Sequence Listing - 6 pages - Computer Readable Diskette		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Name	Matthew A. Leff	Registration No. (Attorney/Agent)	50,149
Signature			Date
			9/16/2005

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on this date: September 16, 2005

Typed or printed name	Stephanie R. Ricardo		
Signature		Date	September 16, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stanley F. Barnett, et al.

US/RO

Attorney Docket No. 21075YP

Authorized Officer:  
To be determined

Serial Number: 10/510,068

Filing Date: October 4, 2004

For: METHOD OF TREATING CANCER

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR  
PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Sir:

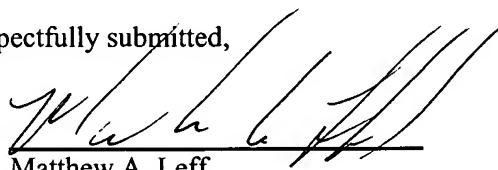
This communication is in response to the Invitation to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures dated August 10, 2005, for which a response is due on or before October 10, 2005. Applicant encloses a corrected paper and computer readable form of the Sequence Listing for the above-identified application filed on October 4, 2004. The referenced Sequence ID numbers (SEQ ID 1 and SEQ ID 22) are shown in the specification on pages 143, line 21 and 150, lines 29 and 30, respectively. The Sequence ID numbers 1 and 22 were unintentionally skipped. Applicants believe no new matter was added and respectfully request correction. The Sequence Listing does not go beyond the disclosure in the International Application as filed.

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. 1.821(e), (f) and (g), respectively, are the same.

If there are any questions, please call the representative listed below.

Respectfully submitted,

By:

  
Matthew A. Leff  
Registration No. 50,149  
Attorney for Applicants

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

**MERCK & CO., INC.**

By Stephanie R. Reid Date 9-16-05

Date: September 16, 2005

Merck & Co., Inc.  
P.O. Box 2000 - RY 60-30  
Rahway, New Jersey 07065-0907  
Telephone No. (732) 594-1404

Attachments: Copy of Notice to Comply  
Sequence Listing - 6 pages  
Computer Readable Diskette

MA

21075YP



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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U.S. APPLICATION NUMBER NO. 10/510,068	FIRST NAMED APPLICANT Stanley F Barnett	ATTY. DOCKET NO. 21075YP
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210  
MERCK AND CO., INC  
P O BOX 2000  
RAHWAY, NJ 07065-0907

*Sequence  
Due By  
10-10-05*

INTERNATIONAL APPLICATION NO. PCT/US03/10632	
I.A. FILING DATE 04/04/2003	PRIORITY DATE 04/08/2002

DOCKETED

AUG 12 2005

CHRISTINE A. CUFFE

CONFIRMATION NO. 5599  
371 FORMALITIES LETTER



Date Mailed: 08/10/2005

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

**MATTHEW LEFF**

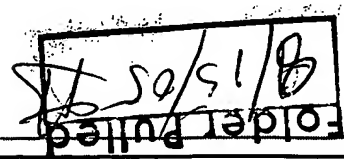
A copy of this notice **MUST** be returned with the response.

**AUG 15 2005**

FRANCINE YOUNG

**PATENT DEPARTMENT**

Telephone: (703) 308-9140 EXT 215



PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO. 10/510,068	INTERNATIONAL APPLICATION NO. PCT/US03/10632	ATTY. DOCKET NO. 21075YP
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FORM PCT/DO/EO/922 (371 Formalities Notice)